

VUS 5

FIRST GOVERNMENTS

Articles of Confederation and the
Constitution

VOCABULARY

- CONFEDERATION- SHARED POWER
- REPUBLIC- RULE BY *ELECTED* OFFICIALS
- NATIONAL(FEDERAL OR CENTRAL)-
CONCERNED WITH THE ENTIRE NATION OR
COUNTRY
- *AUTONOMY- SELF-GOVERNING
COMMUNITY-IN THIS CASE-THE INDIVIDUAL
STATES
- FEDERALISM-SHARED POWER BETWEEN
NATIONAL GOV' T AND STATE GOV' T

AOC-Articles of Confederation (*League of Friendship*)

- The Founding Fathers were afraid of a too powerful central government (like Britain's) so they created the ARTICLES OF CONFEDERATION-FIRST FORM OF NATIONAL GOVERNMENT

AOC-POWERS & ACCOMPLISHMENTS

- **BORROW MONEY**
- **DECLARE WAR**
- **MAKE PEACE**
- **SIGN TREATIES**
- **SET STANDARDS WEIGHTS / MEASURES**
- **POSTAL SERVICE**
- **DEALT WITH NATIVE AMERICAN ISSUES-
Northwest Territory**
- **DEALT WITH WESTERN LAND
CONTROVERSIES-see book**

WEAKNESSES OF AOC

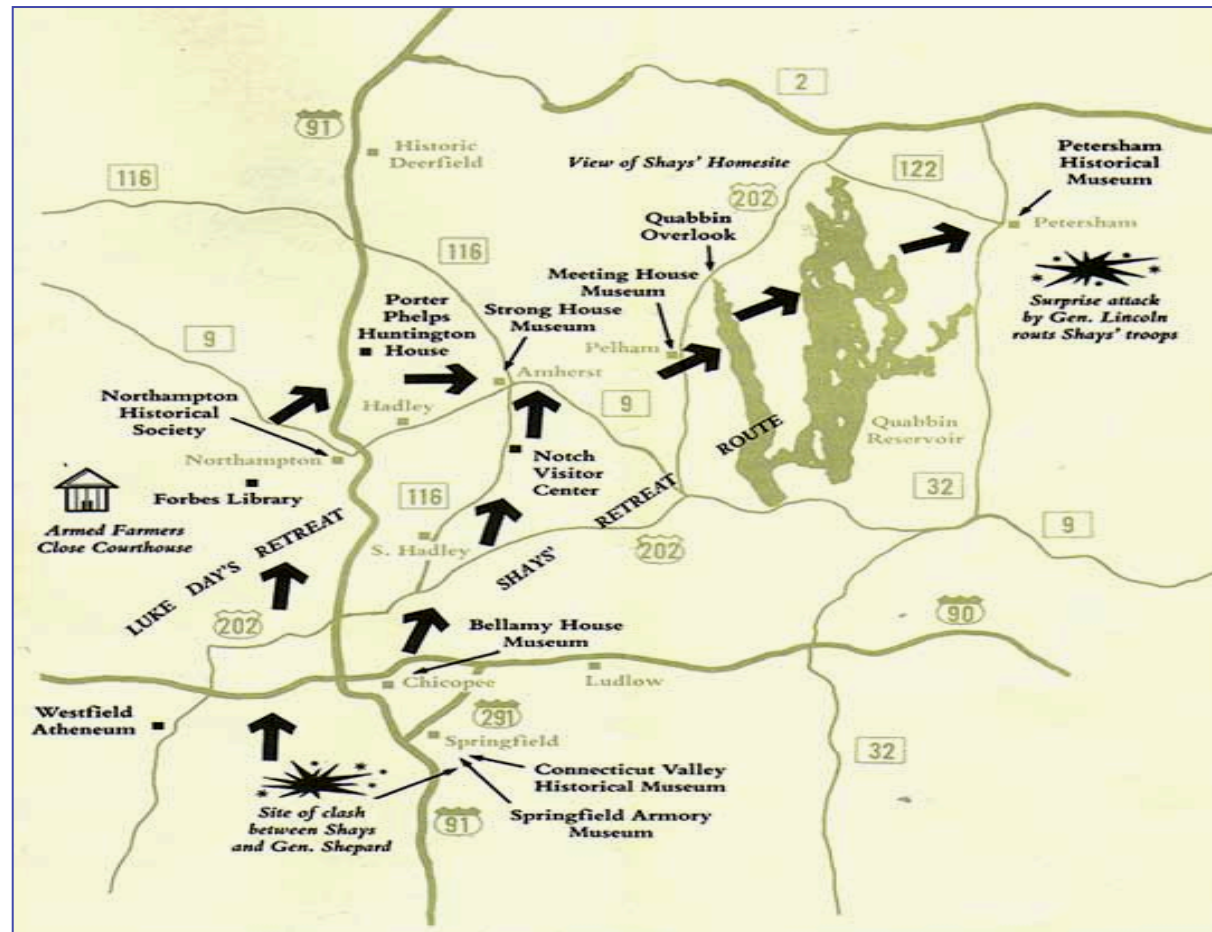
- Provided for a weak national government.
- Gave Congress no power to tax or regulate commerce among the states.
- Provided for no common currency.
- Gave each state one vote regardless of size in the Continental Congress.
- Provided for no executive or judicial branch.

IMPORTANT Reason for Constitutional Convention

Shays' Rebellion 1786

- Farmer (Daniel Shays) in MA. couldn't pay debts-losing farm
- Served in Revolutionary War
- He and other farmers started a rebellion and there was no federal military to stop it.
- Showed government was too weak to deal with problems

SHAYS' REBELLION

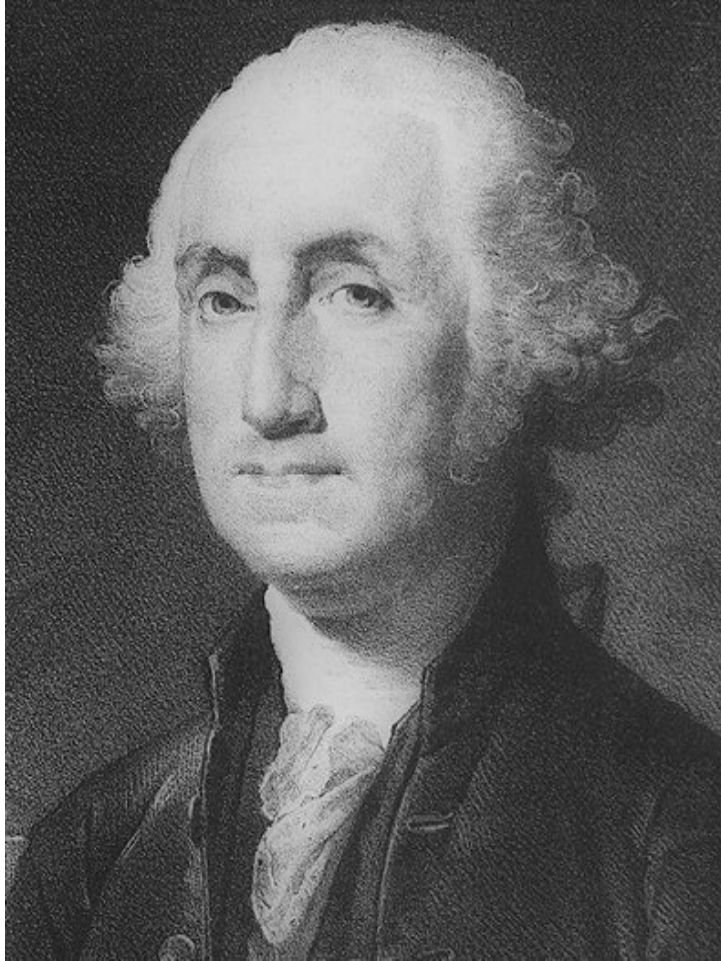


Constitutional Convention

- **CONVENTION MEETS IN Philadelphia in May 1787 to amend (fix) the AOC**

Constitutional Convention

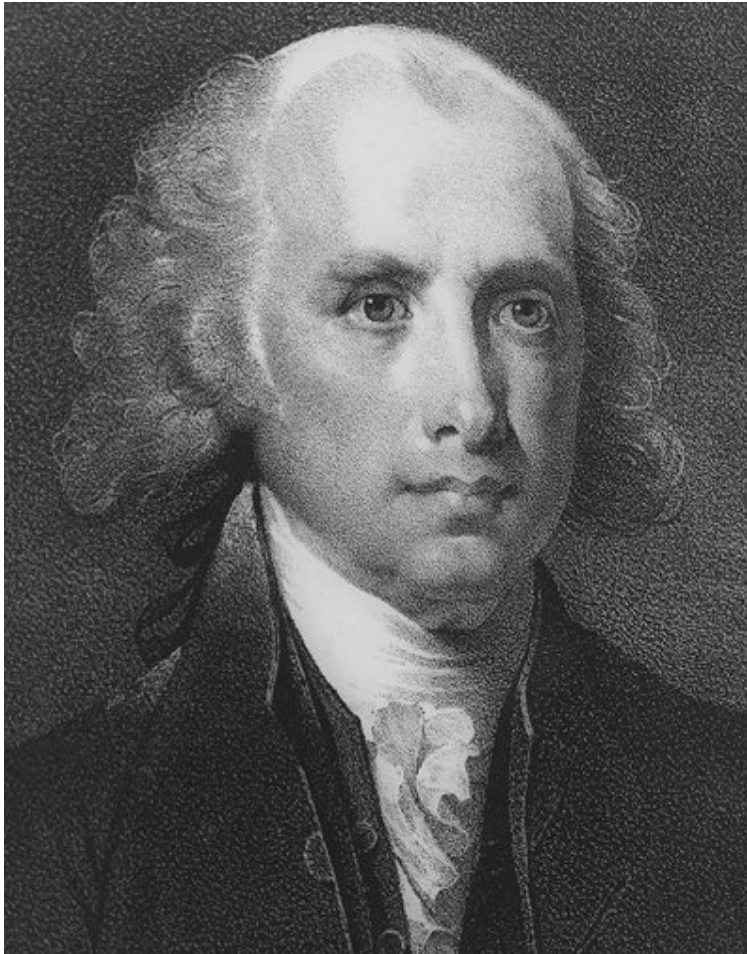
Key Leaders



- **George Washington**
- *President*
(presided) of the
Convention

Constitutional Convention

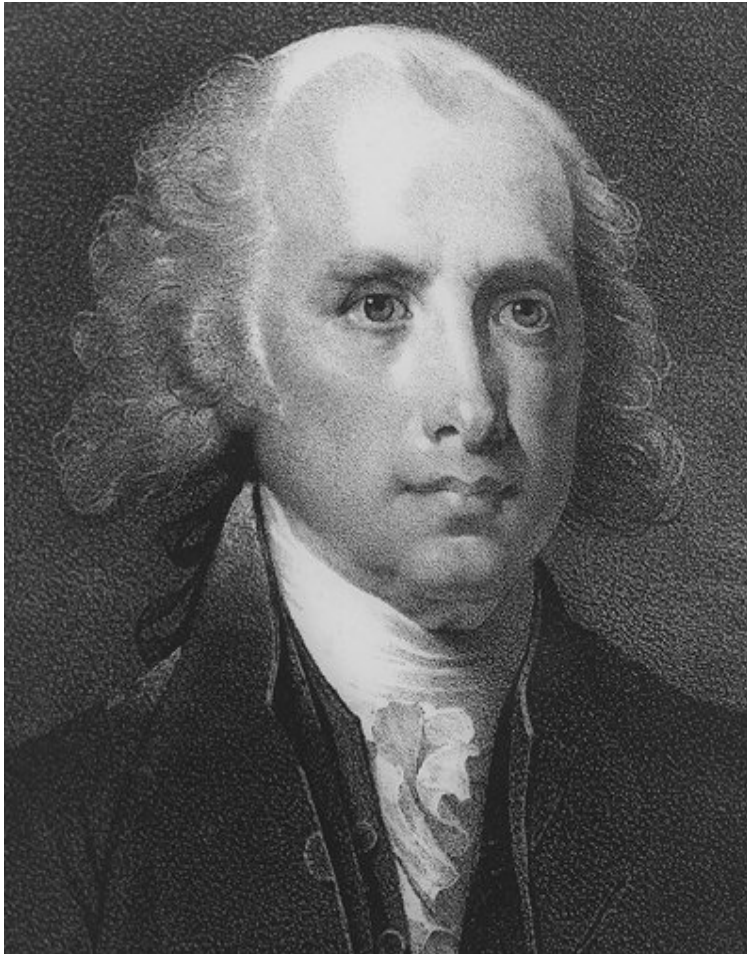
James Madison



- “*Father of the Constitution*”
- Virginian, brilliant political philosopher
- Kept detailed notes of events

Constitutional Convention

James Madison



- Wrote the “Virginia Plan”
proposed a federal
government of 3 separate
branches: legislative, executive,
and judicial.
- Called for 2 houses-Bicameral
- Favored large states
- Foundation- structure of the
new government.

The Virginia Plan

Branches	Three - legislative, executive, and judicial. The legislature was more powerful, as it chose people to serve in the executive and judicial branches.
Legislature	Two houses (bicameral). The House of Representatives was elected by the people and the Senate was elected by the state legislatures. Both were represented proportionally.
Other Powers	The legislature could regulate interstate trade, strike down laws deemed unconstitutional and use armed forces to enforce laws.



New Jersey Plan

- Called for 1 house-Unicameral-equal representation for each state
- Favored small states

The New Jersey Plan

Branches	Three - legislative, executive, and judicial. The legislature appoints people to serve in the executive branch, and the executive branch selects the justices of the Supreme Court.
Legislature	One house (unicameral). States would be represented equally, so all states had the same power.
Other Powers	The national government could levy taxes and import duties, regulate trade, and state laws would be subordinate to laws



Roger Sherman's Great Compromise

Current Congress

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graph TD; A[Roger Sherman's Great Compromise  
Current Congress] --> B[SENATE]; A --> C[HOUSE OF REPRESENTATIVES]; B --> D["EACH STATE  
2 SENATORS  
Appointed not elected"]; C --> E["MEMBERSHIP  
BASED ON  
POPULATION"]
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SENATE

EACH STATE
2 SENATORS

Appointed not elected

HOUSE OF
REPRESENTATIVES

MEMBERSHIP
BASED ON
POPULATION

*****THREE/FIFTH'S Compromise**



*Three Fifth's Compromise- counted
slaves as 3/5 a person.*

**It was agreed slavery would be
allowed for another 20 years.**

THE CONSTITUTION
9/17/1787-COMPLETED

**NOW MUST BE RATIFIED
BY 9 of 13 STATES TO
BECOME LAW**

STRUCTURE

FEDERAL GOVERNMENT-DEFINED

- Constitution made Federal (national) law the supreme law of the land when constitutional, but otherwise gave states some power to govern themselves.

STRUCTURE

Limiting powers of Government

- 1) Avoided a too-powerful central government by establishing *three branches with checks and balances*
- 2) Limited the powers of the federal government to those *identified in the Constitution.*

Branches of Government

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graph TD; A[Branches of Government] --> B[Legislative]; A --> C[Judicial]; A --> D[Executive]; B --> E["Congress<br/>Make laws"]; C --> F["Federal Courts/<br/>Supreme Court<br/>Interpret laws"]; D --> G["President<br/>Enforce laws"];
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Legislative

Congress
Make laws

Judicial

Federal Courts/
Supreme Court
Interpret laws

Executive

President
Enforce laws

STRUCTURE

- THE STRUCTURE OF THE GOVERNMENT IS
IN ARTICLES 1-7

STRUCTURE

- **ARTICLE 1-LEGISLATIVE POWERS OF CONGRESS**
ELASTIC CLAUSE-
- a statement in the U.S. Constitution granting Congress the power to pass all laws “necessary and proper” for carrying out its powers.
- **ARTICLE 2-EXECUTIVE POWERS OF PRESIDENT**
- **ELECTORAL COLLEGE**
- **GROUP SELECTED BY THE STATES TO SELECT PRESIDENT AND VICE-PRESIDENT.**
- **THE STATES NUMBER OF ELECTORS EQUAL NUMBER OF SENATORS AND REPRESENTATIVES IN CONGR**

STRUCTURE

- **ARTICLE 3-JUDICIARY POWERS OF THE COURTS-**Treason is defined here
- **ARTICLE 4-RELATIONS AMONG STATES**

STRUCTURE

- **ARTICLE 5**-AMENDING THE CONSTITUTION-2 / 3rds of both houses must agree
- **ARTICLE 6**-SUPREMACY OF THE NATIONAL GOVERNMENT-highest authority resides in the federal government
- **ARTICLE 7**-RATIFICATION of the constitution if 9 / 13 states approved it.

FEDERALISTS AND ANTI-FEDERALISTS

THE DEBATE BEGINS

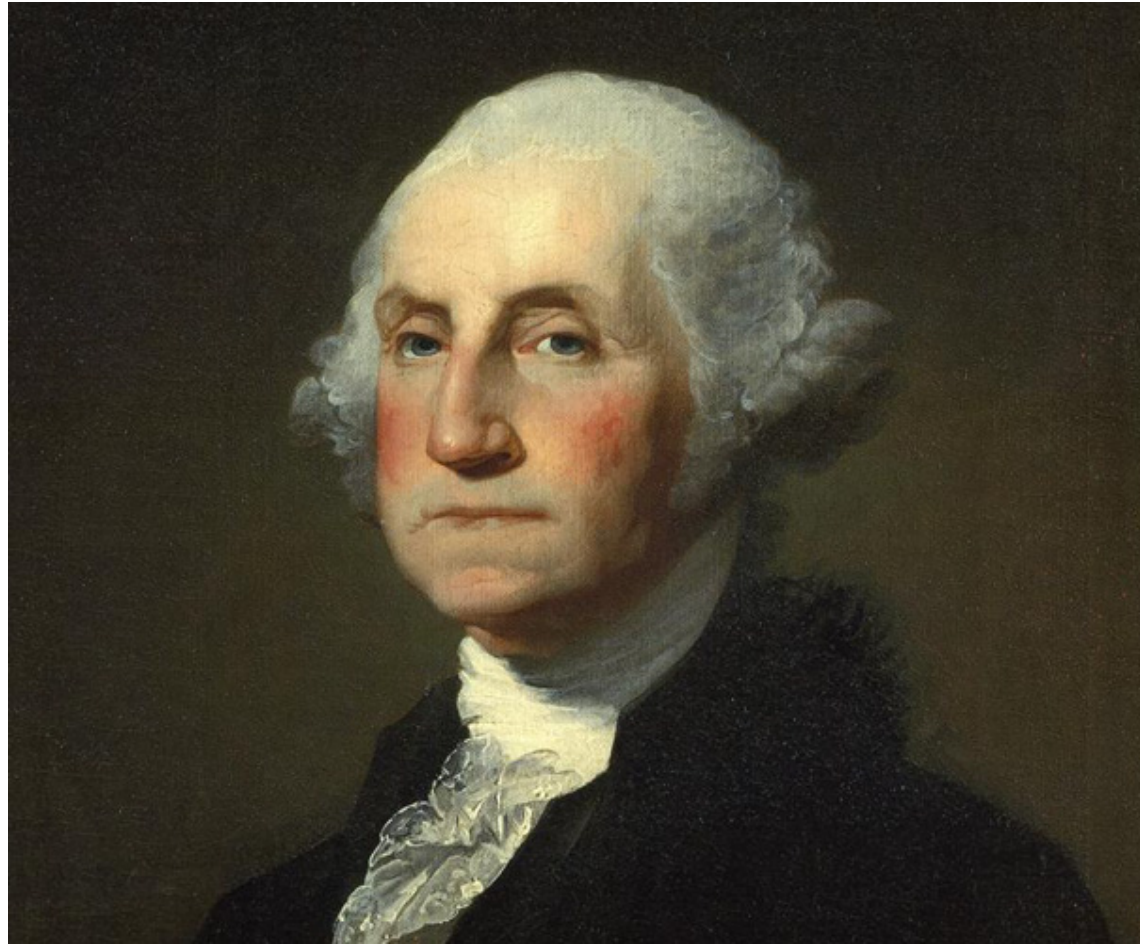
***FEDERALISTS- for the Ratification of the Constitution (stronger national govt's)

- Favored a strong (national) government- to promote economic development and public improvements. Richer folks
- Today, those who see the primary role for the federal government is solving national problems believe in this

Famous Federalists

- GEORGE WASHINGTON
- JAMES MADISON
- ALEXANDER HAMILTON

George Washington



JAMES MADISON



FEDERALIST PAPERS

- SERIES OF ESSAYS WRITTEN BY ALEXANDER HAMILTON, JAMES MADISON, AND JOHN JAY TO CONVINCE THE PUBLIC TO RATIFY THE CONSTITUTION.

ANTI-FEDERALISTS-(against ratification-
(Favored Stronger State govt' s)

Anti-Federalists feared an *overly powerful NATIONAL government destructive of the rights of individuals and the powers of the states.* Common man.

Today, conservatives believe in:

- * liberty,***
- *individual initiative,***
- *free markets.***

***Anti-Federalists position
(against ratification)

- **ANTI-FEDERALISTS-Forced the Federalists to pledge that a Bill of Rights would be added.**

Famous Anti-Federalists

- PATRICK HENRY
- GEORGE MASON
- THOMAS JEFFERSON

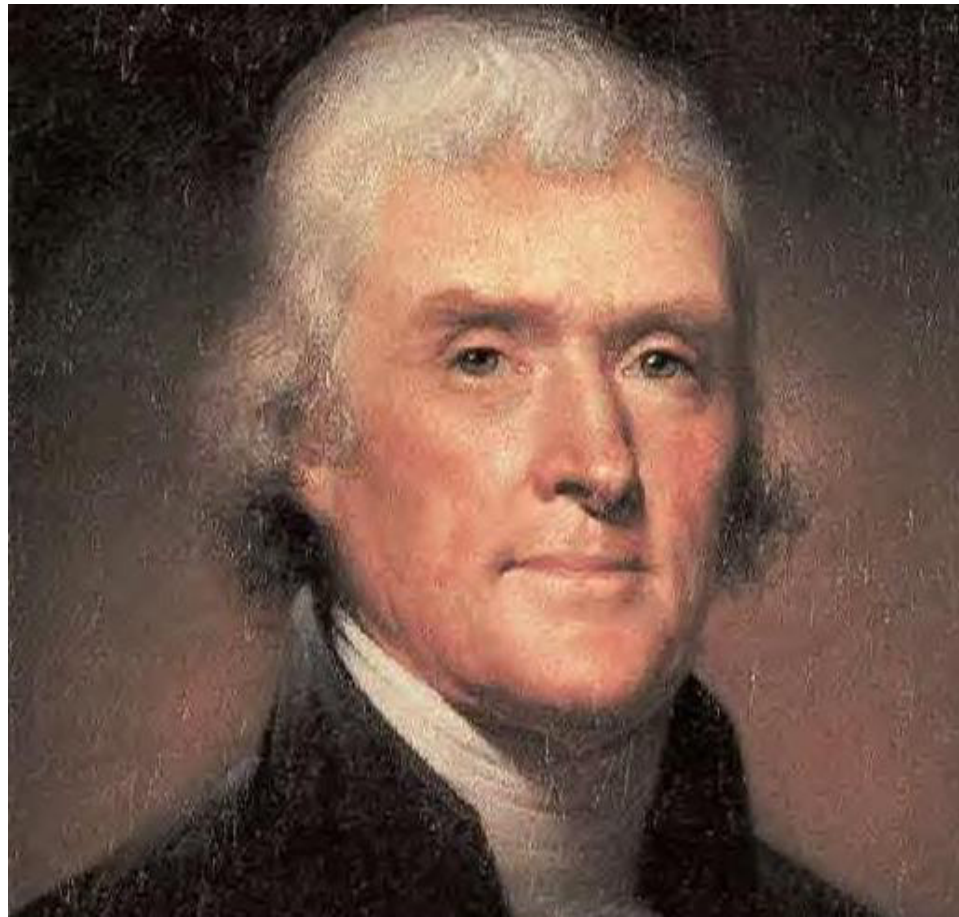
PATRICK HENRY

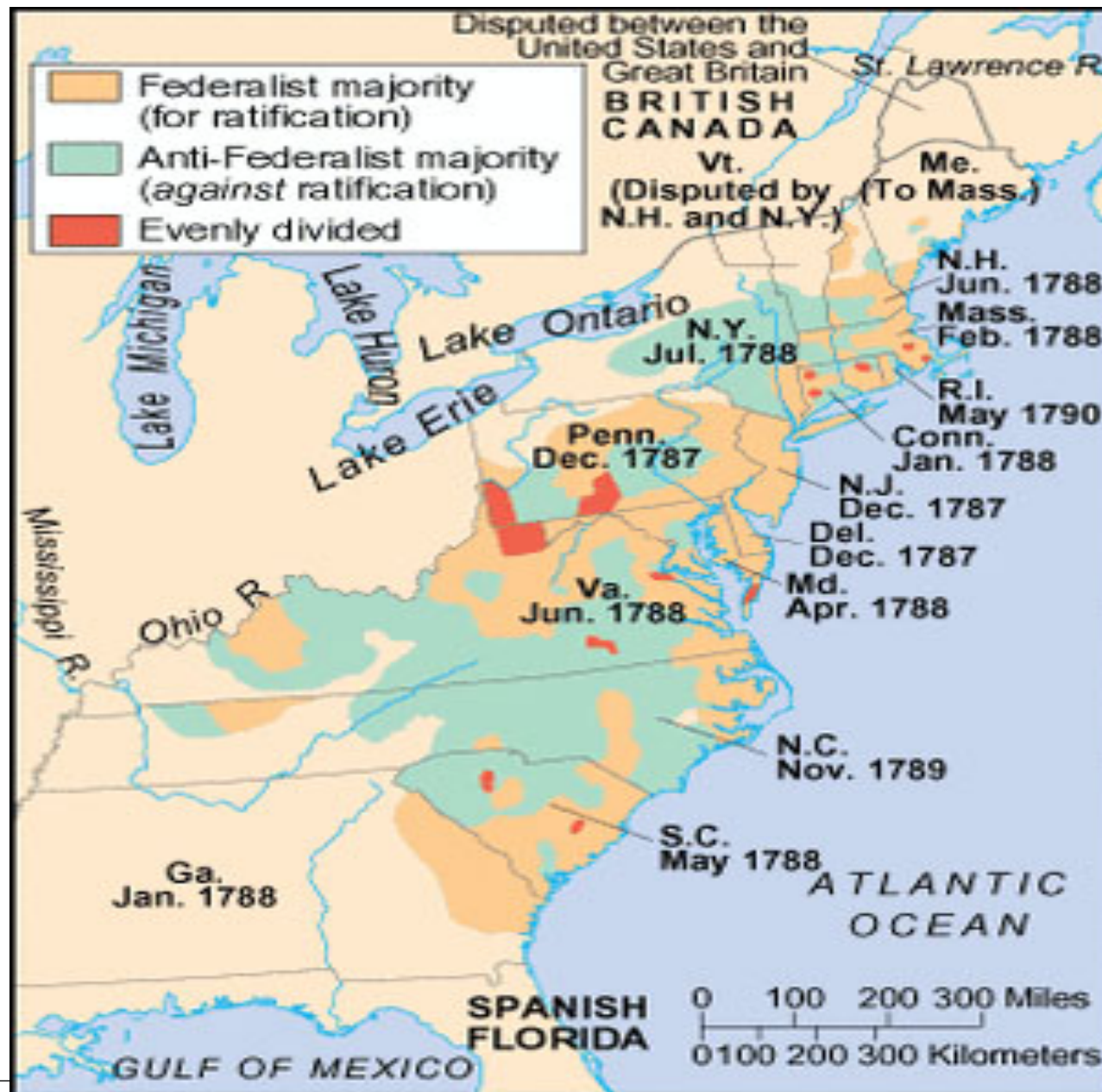


GEORGE MASON



THOMAS JEFFERSON





***Bill of Rights-JAMES MADISON

- This was a compromise-added in 1791
- First 10 amendments of the Constitution
 - used the Virginia Declaration of Rights and the Virginia Statute for Religious Freedom when drafting Bill of Rights.

Documents used to write the Bill of Rights

- **Virginia Declaration of Rights-
George Mason**
- **Says basic human rights should not
be violated by governments.**

Documents used to write the Bill of Rights

- **Virginia Statute for Religious Freedom-Thomas Jefferson**
- **Outlawed the established church-
that is, the *practice of government support for one favored church*-The Anglican Church**

***BILL OF RIGHTS

VIRGINIA
DECLARATION OF
RIGHTS-George
Mason

VA STATUTE
FOR
RELIGIOUS
FREEDOM-
Thomas
Jefferson

BILL OF
RIGHTS
James
Madison

Due Process

- prevents government from depriving individuals of their rights and freedoms without following established legal procedures.

CHIEF JUSTICE JOHN MARSHALL

- Chief Justice of the Supreme Court
John Marshall of Virginia
strengthened the role of the *United States Supreme* court as an equal branch of the national government.

SUPREME COURT CASES

- *Marbury v. Madison*- “judicial review”
- established the power of the federal courts to declare laws unconstitutional .

- *McCulloch v. Maryland*- “*implied powers*”
- The constitution grants Congress “*implied powers*” for implementing the Constitution’s express powers in order to create a functional national government by the *elastic clause*.

- In *Gibbons v. Ogden* - “commerce clause”
- This gives the Supreme Court the authority to decide disagreements between branches of government, levels of government, and competing business interests.
- Federal government SUPREME over state governments.

***United States Government

CONSTITUTIONAL REPUBLIC